

109TH CONGRESS  
1ST SESSION

# H. R. 4548

To amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of certain offenses, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2005

Mr. TERRY (for himself, Mr. McCOTTER, Mr. MURPHY, Ms. HART, Mr. SULLIVAN, Mr. NUNES, Mr. FORTENBERRY, Mr. WALDEN of Oregon, Ms. GINNY BROWN-WAITE of Florida, Mr. BARRETT of South Carolina, Mr. MORAN of Kansas, Mr. HOEKSTRA, Mr. SHADEGG, Mr. KIRK, Mr. ROGERS of Michigan, Mr. AKIN, Mr. HOSTETTLER, Mr. FRANKS of Arizona, Mr. CULBERSON, Mr. HAYWORTH, Ms. FOXX, Mr. McCAUL of Texas, Mr. HENSARLING, and Mr. PENCE) introduced the following bill; which was referred to the Committee on Government Reform

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## A BILL

To amend title 5, United States Code, to deny Federal retirement benefits to individuals convicted of certain offenses, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. DENIAL OF RETIREMENT BENEFITS.**

4       (a) IN GENERAL.—Section 8312(a) of title 5, United  
5       States Code, is amended—

6               (1) by striking “or” at the end of paragraph

7               (1), by striking the period at the end of paragraph

1 (2) and inserting “; or”, and by inserting after para-  
2 graph (2) the following:

3 “(3) was convicted of an offense described in  
4 subsection (d), to the extent provided by that sub-  
5 section.”; and

6 (2) by striking “and” at the end of subpara-  
7 graph (A), by striking the period at the end of sub-  
8 paragraph (B) and inserting “; and”, and by insert-  
9 ing after subparagraph (B) the following:

10 “(C) with respect to the offenses described in  
11 subsection (d), to the period after the date of convic-  
12 tion.”.

13 (b) OFFENSES DESCRIBED.—Section 8312 of such  
14 title 5 is amended by redesignating subsection (d) as sub-  
15 section (e), and by inserting after subsection (c) the fol-  
16 lowing:

17 “(d) An offense described in this subsection is any  
18 offense which is—

19 “(1) within the purview of section 201 (bribery  
20 of public officials and witnesses), 203 (compensation  
21 to Members of Congress, officers, and others in mat-  
22 ters affecting the Government), 205 (activities of of-  
23 ficers and employees in claims against and other  
24 matters affecting the Government), 211 (acceptance  
25 or solicitation to obtain appointive public office), 641

1 (public money, property or records), 663 (solicitation  
 2 or use of gifts), 1001 (statements or entries gen-  
 3 erally), 1621 (perjury generally), 1622 (subornation  
 4 of perjury), or 1623 (false declarations before grand  
 5 jury or court) of title 18; and

6 “(2) committed after the date of the enactment  
 7 of this subsection.”.

8 (c) ABSENCE FROM UNITED STATES TO AVOID  
 9 PROSECUTION.—Section 8313(a)(1) of such title 5 is  
 10 amended by striking “or” at the end of subparagraph (A),  
 11 by striking “and” at the end of subparagraph (B) and  
 12 inserting “or”, and by adding at the end the following:

13 “(C) after the date of the enactment of  
 14 subsection (d) of section 8312, for an offense  
 15 described in such subsection; and”.

16 (d) NONACCRUAL OF INTEREST ON REFUNDS.—Sec-  
 17 tion 8316(b) of such title 5 is amended by striking “or”  
 18 at the end of paragraph (1), by striking the period at the  
 19 end of paragraph (2) and inserting “; or”, and by adding  
 20 at the end the following:

21 “(3) if the individual was convicted of an of-  
 22 fense described in section 8312(d), for the period  
 23 after the conviction.”.

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